

REMARKS

Claims 1-7, 13-23 and 25 are pending. By this Amendment, claims 4, 13 and 19 are amended.

Applicants gratefully acknowledge the Office Action's indication that claims 1-7 and 18-23 are allowed and that claims 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. However, for the reasons set forth below, it is submitted that all claims are now in condition for allowance.

The Office Action rejects claims 13, 14 and 25 under 35 U.S.C. § 102 over Schwarzacher et al., and rejects claims 13 under 35 U.S.C. § 102 over U.S. Patent Publication 2001/0028872 and rejects claim 15 under 35 U.S.C. § 103 over Schwarzacher et al., in view of Tsebro et al. It is respectfully submitted that these rejections should be withdrawn for the reasons set forth below.

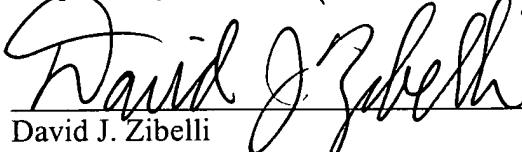
Claim 13 has been amended to recite that the channel region includes a nanotube providing a quasi-one-dimensional channel between the first and second ferromagnetic regions. The quasi-one-dimensional channel has been noted by the Examiner as providing allowable subject matter for claim 1. Thus, it is respectfully submitted that this also provides allowable subject matter for claim 13, and all claims dependent therefrom. Accordingly, Applicants' request withdrawal of the rejection of the claims under 35 U.S.C. §§ 102 and 103.

For these reasons, it is submitted the application is in condition for allowance. Prompt consideration and allowance are solicited.

The Office is authorized to charge any fees due under 37 CFR §§ 1.16, 1.17 or 1.136 to deposit account 11-0600. Should there be any questions concerning this matter, the Examiner is invited to contact Applicants' undersigned attorney.

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Respectfully submitted,


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